

Application Serial No.: 10/669,225
Applicant: Amit KUMAR et al.
Response Filed: October 19, 2005
Response to Office Action Date: August 4, 2005

III. REMARKS

United States Serial No. 10/669,225 was filed on September 24, 2003. Claims 1-23 are currently pending. Claims 1, 16, 17, 19, 22 and 23 are amended, and claim 21 is cancelled, by the present Response. In view of the amendments and remarks set forth herein, Applicants respectfully request reconsideration and allowance of claims 1-20, 22 and 23.

35 U.S.C. §112

Claims 22 and 23 have been rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention. It is specifically alleged that in both claims 22 and 23 that the recitation “. . . wherein the step of heat treating . . .” lacks antecedent basis.

In response, Applicants have amended claims 22 and 23 to depend from claim 19. The recitation of claim 21 “heat treating the mounting mat prior to wrapping the fragile structure” has been inserted into claim 19. Applicants, therefore, respectfully submit that amended claims 22 and 23 have proper antecedent basis and request that this rejection be withdrawn.

Allowable Subject Matter

The Office Action indicates that claim 21 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In the present application, claim 21 depends from independent claim 19. There are no intervening claims.

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Applicants have amended independent claim 19 to include the limitations of allowable claim 21, with a slight modification. The limitation “. . . heat treating the leach glass fibers prior to formation of the mounting mat, or heat treating the mounting mat, prior to wrapping the fragile structure. . .” has been inserted into independent claim 19. The limitation of claim 21 has been slightly modified to take into account that the leached glass fibers may alternatively be heat treated prior to formation of the mounting mat. The limitation inserted into independent claim 19 is fully supported by the specification at least at Page 13, lines 29-32 and Page 14, lines 29-30.

35 U.S.C. §102

Claims 1-18 have been rejected under 35 U.S.C. §102(b) over USPN 5,290,522 to Rogers et al for the reasons set forth in Pages 2-5 of the Office Action. Claims 1-3 and 8-19 have been rejected under 35 U.S.C. §102(e) over U.S. Patent No. 6,855,298 to Ten Eyck for the reasons set forth in Pages 5-7 of the Office Action.

Applicants respectfully traverse these rejections. The Office Action indicates that the subject matter of claim 21, relating to heat treating the mounting mat, is allowable over the cited references. As stated above, Applicants have amended independent claim 19 to include the limitations of claim 21. It is submitted that independent claim 19 is allowable over the cited references and renders the 35 U.S.C. §102(b) rejection moot. Applicants have amended independent claim 1 to include a similar limitation, relating to a mounting mat containing leached and heat treated glass fibers. Applicants, therefore, respectfully submit that amended claim 1 is allowable over the cited references. Claims 2-18 ultimately depend from independent claim 1 and are also deemed allowable.

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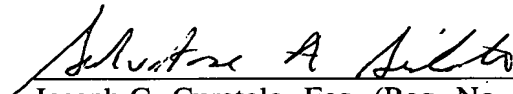
Applicants have enclosed a Supplemental Information Disclosure Statement to cite EP 803,643. Applicants submit that EP 803,643 does not disclose, suggest or provide motivation for a mounting mat for an exhaust gas treatment device which contains leached and heat treated glass fibers. Accordingly, Applicants submit that claims 1-20, 22 and 23 are allowable over this reference.

In view of the amendments and remarks set forth above, Applicants respectfully request favorable action on the merits of the application, including withdrawal of the 35 U.S.C. §§102 and 112 rejections and the issuance of a formal notice of allowability directed to claims 1-20, 22 and 23.

Should the Examiner have any questions, Applicants' undersigned attorney would welcome a telephone call.

Respectfully submitted,

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